

**HONS. 02/004/24**

**B.A. LL.B. (HONS.) DEGREE SECOND SEMESTER EXAMINATION, MAY 2024**

**HISTORY OF STATUTORY LAW AND PRESUMPTIONS**

**Time: 3 Hours**

**Max. Marks: 50**

**(Answer ANY FIVE questions)**

**(All questions carry EQUAL marks)**

1. Examine the historical circumstances that prompted the resurgence of Roman Law in Europe. Explore the factors that hindered its significant influence on the methodologies and customs of Common Law.
2. Discuss the differences in the approach taken by Professor Francis Sayre and Professor Gradner while explaining the historical development of the doctrine of *mens rea*.
3. Discuss the historical development of the trial by jury system. Analyze its origins, evolution, and significance in the administration of justice, considering its impact on legal systems worldwide.
4. Examine the historical development of equity jurisdiction. Trace its origins, evolution, and significance in the English legal system.
5. Identify the circumstances which led to the enactment of the Charter Act, 1833. Explain the role played by the Law Commissions in the codification of laws in British India.
6. Explain how the crystallization as well as standardization strategies were employed by the British in the context of the drafting of the Transfer of Property Act, 1882.
7. "The sketch of the principle of estoppel shows how a principle, originating in the early days when main interest in an action centred round the modes of proof, was gradually adapted to a changed order of ideas upon matters procedural". Explain.
8. "Maxims in modern law are either inherited or borrowed from the Roman law or framed in the formative periods of modern law". Discuss. Also briefly explain how maxims came to be employed in Canon Law, Civil Law as well as Common Law.

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